



Oregon Department of
**Early Learning
and Care**

TAC Meeting

November 13, 2024



Agenda

1. Welcome
2. Roll Call
3. OTELA Updates:
 - 2-Pager document
4. Follow-Up:
 - Legislative Engagement
 - OTELA Planning
5. Tribal Comments, Questions, Feedback
6. Closing and Adjournment





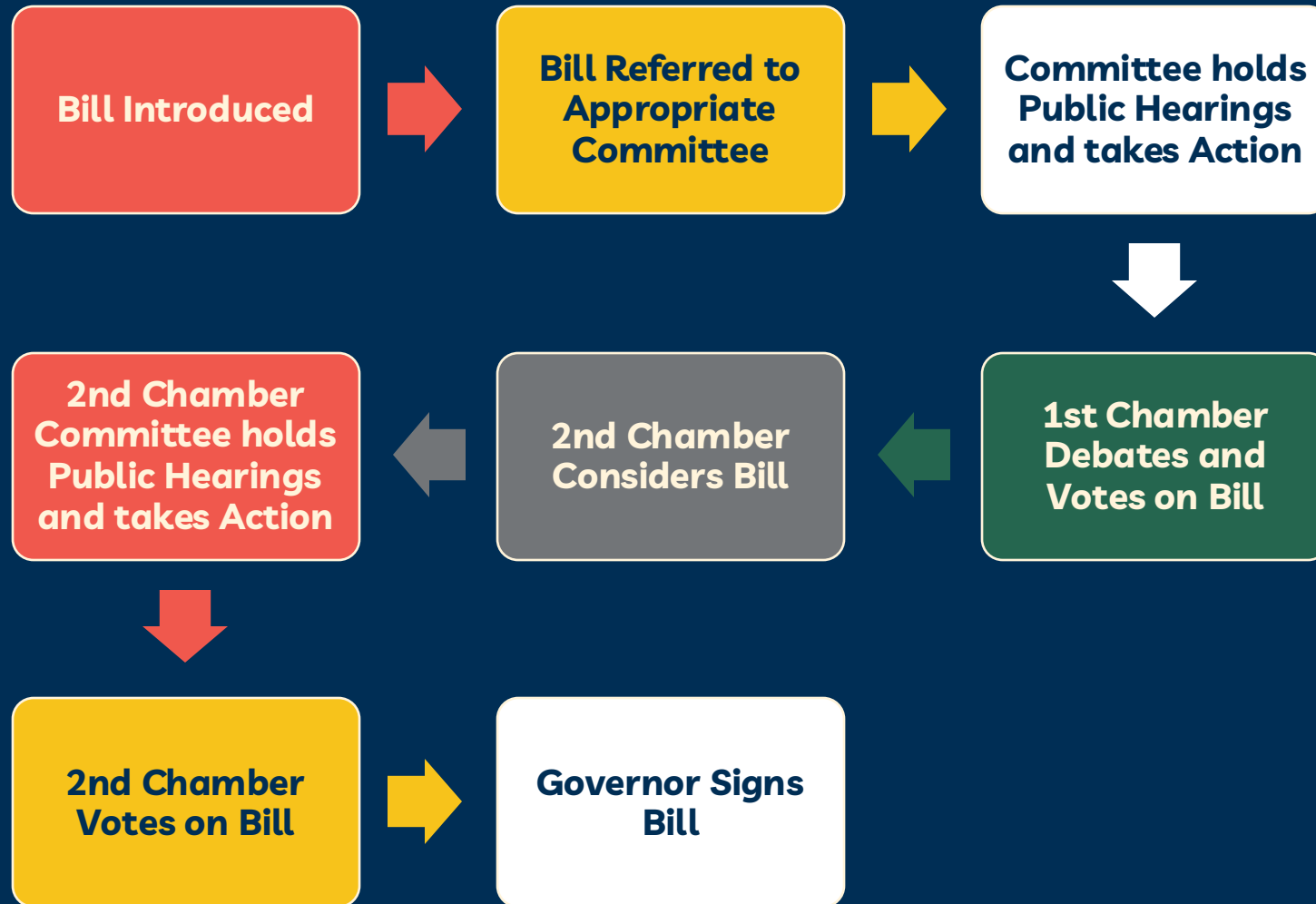
Legislative Engagement

2025 Session Timeline; Overview of Process; Opportunities for Involvement



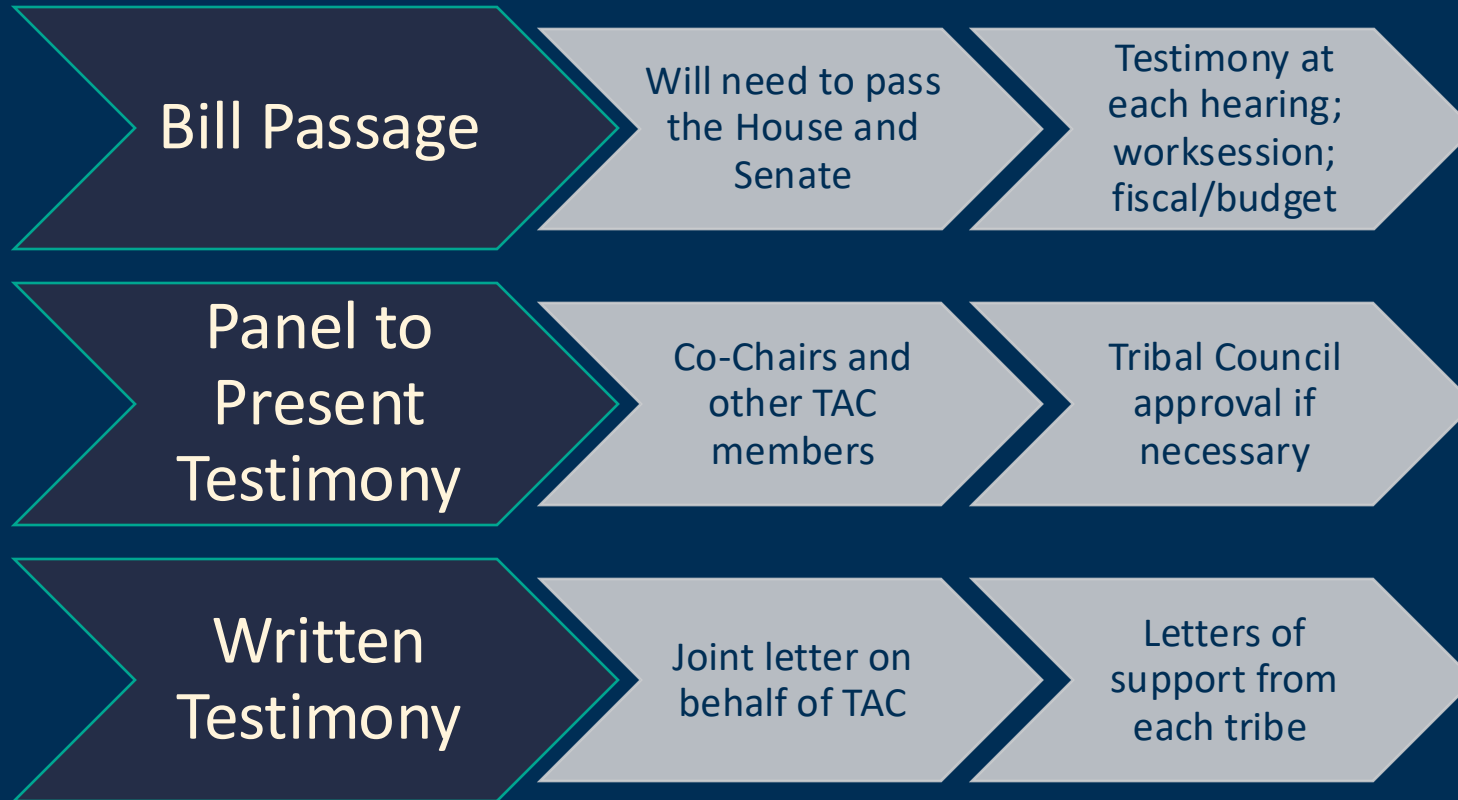


How a Bill Becomes Law



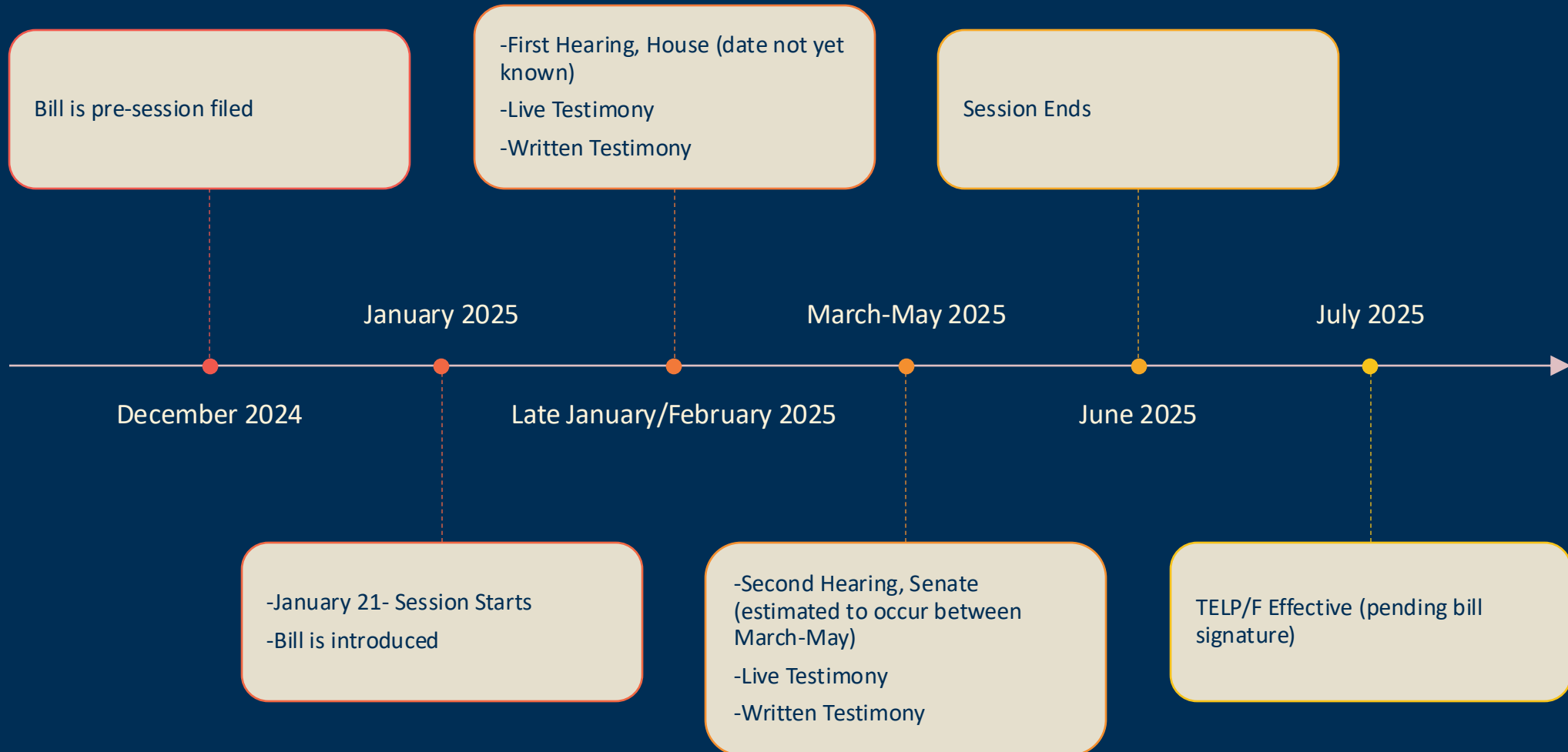


Legislative Engagement





Legislative Timeline



2-Pager Document

DELCL Tribal Early Learning Plan and Fund



BACKGROUND

The Department of Early Learning and Care (DELCL) has requested a legislative concept establishing a Tribal Early Learning Plan and Fund. In addition to this legislative concept, the Tribal Advisory Committee (TAC) established by ORS 417.831 is recommending additional funding for the Tribal Early Learning Fund to center Tribal sovereignty and expand access to early learning and care activities within Tribal Nations as directed and prioritized by each Tribe.

In 2021, the legislature passed HB 2055, which established the Tribal Early Learning Hub (TELH) to coordinate early learning services in Tribal communities. The bill required DELCL to create a Tribal Advisory Committee (TAC) made up of representatives appointed by each Tribe to advise the Early Learning Council on the design and implementation of TELH. The nature of the Hub model would require DELCL to contract with a third party such as a non-profit entity or independent organization, thereby removing the government-to-government relationship between Tribes and DELCL, as required by ORS 182.162 to 182.168 and Executive Order 96-30.

LEGISLATIVE CONCEPT

Due to the structural constraints, there is not a way to operate a Tribal Hub without infringing on Tribal sovereignty. In honor of Tribal sovereignty and in maintaining the government-to-government relationship, TAC recommends a coordinated strategy of funding Tribes directly for early learning services, rather than the creation of a Tribal Hub as mandated in HB 2055. This strategy will allow Tribal Nations to exercise their sovereignty and pursue self-determination, with flexibility in meeting their communities' needs. The proposal was designed by Tribally appointed representatives who share the goal of investing in their youngest members while also maintaining their diverse Tribal heritages, languages, and lifeways for future generations.

On behalf of TAC, DELCL is proposing revisions to ORS 417.831 to establish the Oregon Tribal Early Learning Alliance (OTELA) in place of TAC and removing its advisory function to the Early Learning Council. Instead of focusing on a Tribal Hub, OTELA will advise DELCL on the development, implementation and administration of a new Tribal Early Learning Plan modeled after the American Indian/Alaska Native (AI/AN) Student Success Plan used by the Department of Education as outlined in ORS 329.843 to guide agency decision-making.

The proposed statutory revisions will outline the goals of the Plan; define OTELA's purpose, membership, activities, responsibilities; and establish DELCL's rulemaking authority. The proposal also establishes a Tribal Early Learning Fund to dedicate funds for Tribes to support the breadth of activities Tribes can conduct under the Plan purposes. Since funds will go directly to those who understand the needs of their communities best, Tribes can accomplish the same goals of a Tribal Hub without perpetuating the inequities imposed by the hub model.

BUDGET REQUEST/POP

In addition to the legislative concept, DELCL has been working with TAC to design a Fund to provide Tribes with dedicated and flexible funding to access early learning system resources and supports. The best way to allow Tribes to exercise their sovereignty and maintain Oregon's government-to-government relationship with Tribes is by creating a funding source which the Tribes can allocate towards their communities' unique needs. The Plan and Fund will provide a framework for DELCL to live up to its commitments to Tribal Nations and their people, while removing barriers to funding for the Tribes. Doing so will allow Tribes the ability to focus on initiatives most relevant for their Nations, whether that be revitalizing and preserving language and culture by bringing heritage language and practices into homes and classrooms, expanding preschool or child care services, caregiver education programs, or increasing staff compensation, among many other Tribal early learning and care-focused goals defined within the plan.

FAQS

What is the purpose of the Tribal Early Learning Plan?

The Tribal Early Learning Plan is intended for the Nine Federally Recognized Tribes within Oregon's borders to establish goals and objectives for DELCL to support. The Plan will support and elevate cultural and experiential early learning and care, promote and revitalize language and culture, and ensure access to cultural resources and curriculum in early learning spaces. TAC has recommended the Plan focus on Tribal children prenatal through age eight, families, educators, and providers. Some Plan purposes may be to build capacity for Tribal Early Learning Providers and Educators; support language and culture revitalization and preservation, or to promote the capacity of programs to involve and engage Tribal caregivers. The broad variety of activities and goals will allow Tribes to have flexibility in how they use the Tribal Early Learning Fund, reducing barriers to funding for the Tribes.

How will the Tribal Early Learning Plan be developed?

OTELA will advise DELCL, including its Office of Tribal Affairs, on the development and implementation of the Tribal Early Learning Plan. When developing the Tribal Early Learning Plan, DELCL will consult with representatives from Tribal governments and from executive branch agencies who have formed government-to-government relations to focus on early education and care, including the Department of Education, Department of Human Services (including Indian Child Welfare programs), Oregon Health Authority, and Higher Education Coordinating Commission.

What is the purpose of the Tribal Early Learning Fund?

Early learning and care supports are vital infrastructure for Tribal Nations as they support the development and education of their children and families. Tribes are also engaged in nation building activities such as establishing sustainable economic growth, which includes building a workforce, for which child care and early educational opportunities are essential. The Tribal Early Learning Fund POP originally proposed by DELCL is designed and driven by the Tribes and allows Tribes the flexibility to meet the diverse resource needs facing their nations. This funding recommendation supports Tribal self-determination, recognizing that each Tribe best knows their community and its needs.

Why does DELCL need a separate fund rather than set-asides for specific programs?

While DELCL is exploring Tribal set-asides for specific grant programs, TAC has expressed the need for a dedicated source of flexible funding, similar to the way regional Early Learning Hubs receive funds. The Fund will also allow DELCL to honor the Tribes' indirect rate, which is often a barrier for Tribes in accessing state dollars. TAC recommends set-asides in addition to the Fund, but at this time DELCL will leverage existing funding streams and may be requesting set-asides in the future.

What are the risks if the fund is not approved?

If this budget request does not move forward, DELCL would risk going against what the Tribes have asked for in their sovereignty as separate nations. Without dedicated funds to address current needs, inequities could be further compounded and perpetuated by the state of Oregon against Tribal communities.

To learn more about DELCL's Tribal Advisory Committee, including contact information, meeting minutes, agendas, supplemental materials, and video recordings, scan the QR code.





OTELA Planning

-Funding distribution

-Roles TAC/OTELA/G2G/DELIC

-Reporting requirements



Tribal Funding Needs

Estimated Funding for 2025-2027

\$4.725M (\$4.5M for Tribes) new tribal Early Learning Funding dollars

Existing Tribal Hub funding (\$73k/tribe)

Approx. \$573k/tribe

Funding Distribution

The core question is: **How would the TAC like any unspent or unwanted funds to be distributed?**

Option 1: Equal distribution with reallocation based on decided metrics/processes

Option 2: Needs based, no reallocation

Considerations

In the past, equal distribution was used

Each Tribe's funding needs and capacity vary regarding needs for the Tribal Early Learning Fund

Doesn't need to be permanent, can readjust in future biennia (back to equal distribution, formula) or continue as needs-based



Funding Distribution Methods

1. Needs-Based (Tribes specify amount they need each biennium)

Recognizing that some Tribes have expressed concern with being able to expend a large amount of funding in the 25-27 biennium, each Tribe could submit a proposed spending plan to DELC as an application for funding.

Application Options	
Process Options	Considerations for Further Discussion
Option 1: Each Tribe submits their full list of funding needs (no maximum) to DELC and OTELA for review. Funding is automatically granted up to the equal distribution amount (~\$573,000 under current recommendations).	<ul style="list-style-type: none">• Full list of funding needs provides valuable information to share with the Legislature to demonstrate clear need for investment.• Tribes may need to indicate which projects they plan to fund, and which would require additional investment.
Option 2: Each Tribe submits a list of funding needs up to a certain amount (\$573,000 under current recommendations) to DELC and OTELA for review.	<ul style="list-style-type: none">• Timelines and application criteria would need to be developed to submit and review applications and determine additional funding amounts.

2. Equal Distribution with Reallocation of Unspent Funds Proposed Process

Under this proposal, each Tribe would receive a grant agreement in the amount of \$573,000 (or whatever total amount is determined by the Legislature) from DELC. Each Tribe would submit a proposed spending plan to DELC that can exceed the available \$573,000 and report to DELC on the liquidation of funds throughout the biennium. If a Tribe is unable to spend the full awarded amount within the biennium, the unspent funds would be redistributed through one of the options below. Tribes could notify DELC at the start of the biennium if they do not plan to spend their full award amount.

Redistribution Options	
Process Options	Considerations for Further Discussion
Option 1: Any remaining funds in the second half of the biennium are redistributed equally amongst the Tribes on track to fully expend their funding.	<ul style="list-style-type: none">• Not all Tribes may want to take on extra funds.• Some Tribes may only want to take on a limited amount of additional funding.
Option 2: Any Tribe who wants additional funding submits an application to OTELA to determine how unspent funding is distributed.	<ul style="list-style-type: none">• Could create another barrier for Tribes to access funding.• Timelines and application criteria would need to be developed to submit and review applications and determine additional funding amounts.
Option 3: Hold back unspent funds for DELC administration (technical assistance, requested support) or to grant to organizations that support Tribal communities (i.e. NAYA).	<ul style="list-style-type: none">• Likely to be used for true one-time investments without concern for ongoing costs.

Both an application or automatic equal redistribution would require amending grant awards, which requires amending existing awards. DELC can mitigate some of these challenges through the grant award process.



Roles and Responsibilities

Roles and responsibilities of various groups

- TAC/OTELA
- DELC Office of Tribal Affairs
- G2G Ed Cluster

What should TAC do in the coming months?

- Specific actions needed before OTELA forms
- Ex: Membership charter

Roles and Responsibilities

OTELA (Advisory Body)

Need to define purpose, membership, services, activities for statute

More programmatic

Design and monitor implementation of a tribal early learning plan

Some may flow up to the subcommittee/full cluster

Makes sure that DELC is on-track, work with DELC staff (specifically the Office of Tribal Affairs)

Includes subject matter experts (to include AI/AN providers/educators in community), community members, other agencies

- **Purpose:** Advise the department on the development and implementation of the tribal early learning plan and the fund's grant program.
- **Membership:** Two voting members from each of the nine federally recognized Indian tribes in Oregon; at least two nonvoting members who are parents or caregivers of a plan child; at least two nonvoting members who are tribal educators or providers of early childhood care or education programs that are operated by a federally recognized Indian tribe in Oregon; non-voting members from each of the agencies specified and any other as requested
- **Services & Activities:** Ensure DELC is on track in implementing the Tribal Early Learning Plan and Fund; conduct meetings, create Oregon Administrative Rules (OARs), monitor the development and implementation of the Plan and design the grant program between DELC and the Tribes.

	TAC	OTELA	G2G Ed Cluster	OTA
Timeline	8/2024-6/2025; meets monthly	7/2025 (pending leg.); TBD	N/A; Meets quarterly	N/A
Structure	<ul style="list-style-type: none"> Reports to Early Learning Council Mix of Tribal Ed Directors and ECE Program Managers 	<ul style="list-style-type: none"> Directs DELC work Tribal representatives (up to 18) Parents, providers, and state agencies (non-voting) 	<ul style="list-style-type: none"> GO convenes Includes Tribal Ed Directors, Education Specialists & 5 education agencies including DELC Can create subcommittees 	<ul style="list-style-type: none"> Reports to ELS Director (Alyssa) Office staff: Paulina, Dana and Dori
Role	<p>Recommend to ELC:</p> <ul style="list-style-type: none"> Whether a TELH is needed, or other structures are preferred. May include recommending TELP/F and what to include in that plan & potential allowable uses (language/culture, PD, compensation) May recommend codification of a standing TAC or similar body 	<ul style="list-style-type: none"> Advise DELC/Tribal Affairs on development/implementation of the Tribal Early Learning Plan. Provide final decisions and guidance for DELC to implement as it relates to the TELP/F Build off the concept of AI/AN State Plan to elevate early learning focus Information sharing, professional development, and feedback on Tribal Early Learning Plan 	<ul style="list-style-type: none"> Define how DELC should establish Tribal set asides in addition to a Tribal Early Learning Fund Build off AI/AN State Plan to elevate early learning focus; Provide additional feedback to DELC re: TELH , TELP/F & related work 	<p>Propose legislation to implement TELP/F</p> <p>If legislation passes:</p> <ul style="list-style-type: none"> Support OTELA and the development and implementation of the Tribal Early Learning Plan and administer the fund Provide TA/consultation as needed in leveraging Tribal Early Learning Fund
Tasks Potential	<ul style="list-style-type: none"> Legislative response role <i>OTELA Membership & Selection Process for Advisory Members</i> 	<ul style="list-style-type: none"> Group Charter Writing the Tribal Early Learning Plan 	<ul style="list-style-type: none"> Further refining TAC recommendations 	<ul style="list-style-type: none"> Ongoing Consultation and TA



Tribal Discussion

Space for Tribal Comments, Questions, Feedback





Thank you!

